

INTELLECTUAL PROPERTY LAW OFFICES
CARRIER, BLACKMAN & ASSOCIATES, P.C.

24101 NOVI ROAD
 SUITE 100
 NOVI, MICHIGAN 48375

Tel. (248) 344-4422
 Fax (248) 344-1096
 E-mail- cbdlaw@ameritech.net
 www.carrier-blackman.com



JOSEPH P. CARRIER*
 WILLIAM BLACKMAN*

*Registered to practice before the
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DATE: July 12, 2004 OUR REF: SSK-102-A YOUR REF. USSN 10/797,337 JUL 12 2004

TO (COMPANY) : US Patent & Trademark Office, Art Unit 3632

ATTN: Jonathon A. Szummy

FROM : Joseph P. Carrier

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MESSAGE: Please promptly deliver the attached document (Amendment-B) to the Examiner.

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Anne M. Carr

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Attorney Docket No. SSK-102-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sung Kuk Soh, PhD
Serial Number: 10/797,337
Filed: March 10, 2004
Group Art Unit: 3632
Confirmation No.: 4305
Examiner: Jonathon A. Szumny
Title: HEIGHT ADJUSTABLE SUPPORT FOR FURNITURE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner For Patents
P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement in the Office Action of June 14, 2004, applicant submits the following response:

REMARKS

Claims 1-16 have been placed under a restriction requirement under MPEP 803 and 35 U.S.C. 121 in the above-identified Office Action.

SUMMARY OF THE EXAMINER'S POSITION

Specifically, the Examiner has identified the following inventions:

- I. The support apparatus of Figure(s): 1a, 1b, 2a, 2b, 3a, 3b, 3c;
- II. The support apparatus of Figure(s): 4a, 4b;
- III. The support apparatus of Figure(s): 5a, 5b;
- IV. The support apparatus of Figure(s): 6a, 6b, 7, 8a, 8b;
- V. The support apparatus of Figure(s): 9a, 9b, 10, 11;
- VI. The support apparatus of Figure(s): 12, 13, 14, 15a-15f.

The Examiner has required restriction to one of the identified species for examination.

DISCUSSION

Applicant respectfully traverses the restriction requirement in the above-identified Office Action, and requests reconsideration and withdrawal thereof. Applicant respectfully suggests that the depicted species are all drawn to a single inventive concept within the meaning of 37 C.F.R. 1.141(b), and should not be subject to restriction.

Even if the Examiner remains convinced that the depicted species are not all drawn to a single inventive concept, applicant respectfully suggests that all of the depicted species are drawn to closely associated inventions.

Moreover, applicant respectfully points out that MPEP section 803 states that

"if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

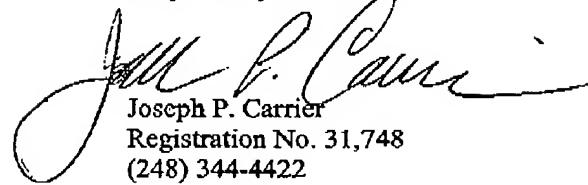
Applicant respectfully suggests that the examination of the entire application would not place a serious burden on the Examiner. Applicant therefore respectfully respects reconsideration and withdrawal of the restriction requirement.

However, notwithstanding the above, and in order to comply with Patent Office requirements, applicant elects, with traverse, the group identified by the Examiner as Invention IV.

It is applicant's understanding and belief that the subject matter of Claims 1-6, and 9-16.

Customer No. 21828
CARRIER, BLACKMAN & ASSOCIATES, P.C.
24101 Novi Road, Suite 100
Novi, Michigan 48375

Respectfully submitted,


Joseph P. Carrier
Registration No. 31,748
(248) 344-4422

July 12, 2004

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